

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : Chapter 7

Out of Site Infrastructure, Inc. : No. 19-15269-elf
Debtor/Movant Party : **Motion for Continuance of Hearing**
: Date Set for September 18, 2019
: At 10:00 A.M. Court Room 1
: Robert N.C. Nix, Sr.
: 900 Market Street
: Philadelphia, PA 1017

SEP -99 2019

NOTICE OF MOTION

Respondent, F & M Equipment, Ltd., d/b/a Midlantic Machinery, f/d/b/a Midlantic Machinery, Inc., by and through its legal counsel, William J. Perrone, Esquire has filed a Motion for Continuance of the Hearing relative to the Debtor, Out of Site Infrastructure, Inc., Enforcement of Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney);

1. If you do not want the Court to grant the relief sought in the Motion or if you want the Court to consider your views on the Motion, then on or before the hearing date, September 18, 2019, you or your attorney must do All of the following:
 - (a) File an Answer explaining your position at:
Office of the Clerk of Court
U.S. Bankruptcy Court
900 Market Street
Philadelphia, PA 19107-2800

If you mail your answer to the bankruptcy Clerk's Office for filing, you must mail it early enough so that it will be received on or before the date stated above, and

(b) Mail a copy to the Respondent's Attorney:
William J. Perone, Esquire
1289 Shadow Oak Drive
Malvern, PA 19355

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above, and attend the hearing, the Court may enter an Order granting the relief requested in the Motion.
3. If a copy of the Motion is not enclosed, a copy of the Motion will be Provided to you if you request a copy from the attorney named in paragraph 1(b) above;
4. You may contact the Bankruptcy Clerk's Office at 215-408-2800 to find out whether the hearing has been rescheduled because no one filed an Answer;

Date: September 9th, 2019

Respectfully Submitted:



William J. Perrone, Esquire
Counsel for the Respondent Party
F & M Equipment, Ltd., d/b/a
Midlantic Machinery,
f/d/b/a Midlantic Machinery, Inc.

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**F & M Equipment, Ltd d/b/a Midlantic Machinery, f/d/b/a
Midlantic Machinery, Inc.**

**Motion for Continue of Hearing Date of
Out of Site Infrastructure, Inc., Debtor/Movant Party**

Motion for Enforcement of Automatic Stay

F & M Equipment, Ltd. d/b/a Midlantic Machinery, f/d/b/a Midlantic Machinery, Inc., Respondent, by and through its legal Counsel, WILLIAM J. PERRONE, files the within Motion for a Continuance of the Hearing Date of the Debtor, Movant Party, Out of Site Infrastructure, Inc., Motion for Enforcement of Automatic Stay, and in respect thereto, states the following:

1. August 23, 2019, the Debtor, Out of Site Infrastructure, Inc. filed a Motion for Enforcement of Automatic Stay (Motion), and a hearing on the Motion is scheduled to be held September 18, 2019 at 10:00 A.M. in Courtroom No. 1, United States Bankruptcy Court, the Robert Nix Building, 900 Market Street, Philadelphia, Pennsylvania 19107, before the Honorable Jean K. FitzSimon;
2. That the Respondent regarding the aforesaid Motion is F & M Equipment, Ltd., d/b/a Midlantic Machinery, f/d/b/a Midlantic Machinery, Inc. (F & M); F & M is the Plaintiff in the F & M Equipment, Ltd., d/b/a Midlantic Machinery f/d/b/a Midlantic Machinery, Inc. vs. Out of Site Infrastructure, Inc., Paul Verna and Timothy Battista, Montgomery County Court of Common Pleas, Docket No. 2017-3988, hereinafter called Montgomery Co. Matter;

3. That the undersigned Counsel is legal counsel for the Respondent, F & M, regarding the Montgomery County Matter and relative to the filed Motion;
4. That F & M, simultaneous with the within Motion for a Continuance, has also filed an Answer to the Debtor/Movant Party, Out of Site Infrastructure, Inc. (Out of Site), Motion, opposing the relief sought by Out of Site;
5. The undersigned Counsel for F & M is scheduled for surgery on September 16, 2019 at the University of Pennsylvania Hospital; see University of Pennsylvania Health System, Scheduling Information, attached hereto as Respondent Exhibit-1, the same of which is incorporated herein by reference thereto;
6. The undersigned Counsel for F & M has been informed by the University of Pennsylvania Health System that he will be unable to attend to normal work activity for a period of seven (7) days;

WHEREFORE, F & M Equipment, Ltd., d/b/a Midlantic Machinery, f/d/b/a Midlantic Machinery, Inc., respectfully requests this Honorable Court to continue the hearing currently scheduled for September 18, 2019 to a date not less than seven (7) days from the currently scheduled date.

Respectfully Submitted:



William J. Perrone, Esquire
Counsel for the Respondent Party
F & M Equipment, Ltd., d/b/a Midlantic Machinery,
f/d/b/a Midlantic Machinery, Inc.

EXHIBIT “RESPONDENT -1”

University of Pennsylvania Health System
Department of Otorhinolaryngology
Head and Neck Surgery
3400 Civic Center Blvd, 3rd Floor South Pavilion
Philadelphia, PA 19104

Pre Op Risk Assessment Form

To William Perrone,

You are scheduled for surgery with Dr. Bigelow on 9/16/19. Please take this form to the physician who will coordinate your pre-operative testing. The following exams are required to be performed in order to have your surgical procedure within the guidelines of our Medical Board. These test results must be faxed to 215-662-4182 to Sandy no later than two weeks prior to surgery. These results must be reviewed by our anesthesiologist and surgeon prior to your surgery.

HISTORY AND PHYSICAL EXAM (to be performed by Primary Care Physician) - forms attached. This is to be done within 30 days of your operation. This must include allergies (with type of reaction), current medications and dosages, mental status measurement, significant past medical/surgical history, reason for surgical intervention, location and condition of operative site, and a physical exam.

CHEST X-RAY

A documented copy of a CXR can be used if it is within the past 12 months, unless changes have occurred within this time.

EKG

A copy of an EKG can be used if it is within the past 6 months, unless changes have occurred within this time.

LABORATORY ANALYSIS:

CBC

Differential

Platelets

In healthy patients who have not had significant blood loss from a surgical or medical illness, a CBC is recommended within 4 months of scheduled surgery (hard copy must be sent). Patients who have had a history of bleeding, recent surgery, or a chronic illness will need a CBC obtained within 30 days of surgery.

Additional Testing based on H&P

Urinalysis **Liver Function Testing** **PT** **PTT** **Thyroid Function Testing** **Chem 7**

Electrolytes **Creatinine** **BUN** **Beta HCG** **Calcium** **Other**

The members of the University of Pennsylvania Health System are pleased that you chose us for your surgical care. If you have any questions or concerns regarding the testing requirements, you may contact, *Sandy Corkery @ Dr. Bigelow's office @ 215-662-6970*

Please fax results to: Sandy @ FAX# 215-662-4182

Certification of Filing and Service

William J. Perrone, Esquire counsel for the Respondent,
F & M Equipment, Ltd. d/b/a Midlantic Machinery, f/d/b/a Midlantic Machinery, Inc.
(F & M), hereby certifies that on the date set forth below, F & M, Motion for a
Continuance of the Hearing date of Debtor/Movant Party, Out of Site Infrastructure, Inc.,
Motion for Enforcement of Automatic Stay, was filed via hand delivery in the United
States Bankruptcy Court, Eastern District of Pennsylvania, and

also on the same date, via regular U.S. Mail, postage prepaid, a copy of the same, was
directed as follows via regular U.S. Mail, postage prepaid:

Christian A. DiCicco, Esquire
2008 Chestnut Street
Philadelphia, PA 19103
(Counsel for Debtor/Movant Party, Out of Site Infrastructure, Inc.)

I understand that any false statements herein are made subject to the penalties of
18 Pa. C.S., section 4904 relating to un-sworn falsification to authorities.

September 9, 2019

Date


William J. Perrone, Esquire
Counsel for Respondent
F & M Equipment, Ltd.
d/b/a Midlantic Machinery
f/d/b/a Midlantic Machinery, Inc.